

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FILED  
KENNETH J. MURPHY  
CLERK

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John Sayya, *pro se*, et al.,

Plaintiffs,

v.

Waynoka Property Owners  
Association, Inc., et al.,

Defendants.

) Case No.: 01-CV-459  
)  
) Senior District Judge Herman J. Weber  
)  
) MOTION FOR ENLARGEMENT  
) OF TIME TO FILE WRITTEN  
) OBJECTIONS TO THE PROPOSED  
) FINDINGS AND RECOMMENDATIONS  
) OF UNITED STATES MAGISTRATE  
) JUDGE MICHAEL R. MERZ

NOW COME John Sayyah and Brenda Frank, plaintiffs, and, pursuant to Fed. R. Civ. 6(e), move this Court for an enlargement of time to file their written objections to the proposed findings and recommendations of United States Magistrate Judge Michael R. Merz. The reasons in support of such a motion are more particularly set forth in the accompanying memorandum. Plaintiffs would seek an enlargement of time from this Court until December 3, 2003.

**MEMORANDUM**

In his "Report and Recommendations," Magistrate Judge Michael R. Merz has reached a determination that plaintiffs "have not presented any disqualifying evidence with respect to Judge Weber" and that "their Motion for Recusal should be DENIED." In order to more *properly* and *fully* file their objections to the proposed findings and recommendations of Judge Merz, plaintiffs respectfully request that this Court, pursuant to Fed. R. Civ. P. 6(e), enlarge their time to file said objections until December 3, 2003.

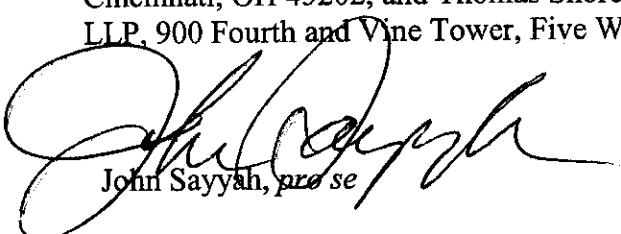
Respectfully submitted,

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**CERTIFICATION OF SERVICE**

We hereby certify that a copy of the foregoing was served by U.S. Mail on this 31<sup>st</sup> day of October, 2003 to Herbert Freeman, Attorney at Law, 114 East Eight Street, Cincinnati, OH, 45202, Stephen Yeager, Attorney at Law, One West Fourth Street, Suite 1800, Cincinnati, OH 45202, Michael P. Foley, Esq., 900 Fourth & Vine Tower, Five West Fourth Street, Cincinnati, OH 45202, Colleen Blandford, Attorney at Law, 1400 Carew Tower, 441 Vince Street, Cincinnati, OH 45202, and Thomas Shore, Jr., Attorney at Law, Rendigs, Fry, Kiely & Dennis, LLP, 900 Fourth and Vine Tower, Five West Fourth Street, Cincinnati, OH 45202.



John Sayyah, *pro se*



Brenda Frank, *pro se*